

ANNEXURE 'A'

GEDORE TOOLS (INDIA) PRIVATE LTD.

Scheme of Gratuity

1. (a) In the event of death of an employee while in the service of the Company. Gratuity at the rate of 15 days wages or salary for each completed year of service to be paid in the nominee, heirs, legal representative administrator or assignees of the deceased employee.
 - (b) In the event of discharge by the Company or voluntary retirement on ground of becoming physically or mentally incapacitated for further service, duly certified by the Company's Medical Officer. Gratuity at the rate of 15 days wages or salary for each completed year of service.
 - (c) In the event of retiring on superannuation. Ditto
 2. In the event of resignation of employment or termination of service for any reason other than those mentioned in Clause 1 (a), (b) and (c) above.
 - (a) Upto 5 years, service. Nil
 - (b) Service of more than 5 years but less than 10 years. Gratuity at the rate of ten days wages or salary for each completed year of service.
 - (c) Service of more than 10 years. Gratuity at the rate of fifteen days wages or salary for each completed year of service.
 3. No person shall be entitled to gratuity exceeding 15 months' wages or salary as drawn immediately before the gratuity becomes due.
 4. (a) For the purpose of computing Gratuity, any allowances such as House Allowance, over-time allowance, bonus, or any special allowance shall not be taken into account at all.
 - (b) Gratuity will be calculated at the salary or wages last drawn by the employee. The salary or wage means consolidated wage and dearness allowance only.
 - (c) *Round up.* Period of six months or more upto one year of service will be counted as one year and period of less than six month be ignored.
- Explanation* :—6 years and 5 months' service will be counted as 6 years' service, while 6 years' and 6 months or more of service will mean 7 years of service, for the purposes of computation of gratuity.
5. If any person is dismissed for misconduct, after having caused financial loss to the Company, then from the amount of gratuity payable, the amount of actual loss to the Company will be deducted, before the amount of gratuity is paid.
 6. The age of superannuation will be 55 years.
 7. For the purpose of ascertaining continuous service, breaks in service not exceeding 6 months shall be condoned, but the period or periods of such breaks shall not be included in calculating the number of years of continuous service.
 8. The company, may, in its discretion, give gratuity in excess of the scale provided above.
 9. The Scheme will come into force from 2nd June, 1970.

for Gedore Tools (India) P. Ltd.,

(Sd.)

Executive Officer.

No. 5504-ILab-70/19760.—In pursuance of the provisions of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad in respect of the dispute between the workmen and the management of M/s Paras Cold Storage, General Industries, Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,
FARIDABAD

Reference No. 4 of 1970

between

THE WORKMEN AND THE MANAGEMENT OF M/S PARAS COLD STORAGE, GENERAL
INDUSTRIES, FARIDABAD

Present.—

Shri Amar Singh, for the workmen.

Nemo, for the management.

AWARD

Shri Hari Ram was in the service of M/s Paras Cold Storage, General Industries, Faridabad. His services were terminated and this gave rise to an industrial disputes. Accordingly the Governor of Haryana in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal, — vide Gazette Notification No. ID/FD/476-A/486, dated 7th January, 1970.—

“Whether the termination of services of Shri Hari Ram was justified and in order. If not to what relief is he entitled.

On receipt of the reference usual notices were issued to the parties. Shri Amar Singh appeared on behalf of the workman but no body appeared on behalf of the management. The workman was, therefore, directed to produce, *ex parte* evidence in support of his case. A number of opportunities were granted to the representative of the workman to produce evidence but the workman has not appeared nor any evidence has been produced. His representative Shri Amar Singh, has made a statement that the workman has not contacted him nor has he given him any further instruction to proceed with the case. Since the workman has not produced any evidence in support of his case, it must be held that the termination of his services has not been proved to be unjustified and he is not entitled to any relief. I give my award accordingly.

No order as to cost.

P. N. THUKRAL,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

Dated the 22nd June, 1970.

No. 1016, dated Faridabad, the 22nd June, 1970.

Forwarded (Four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,

Industrial Tribunal, Haryana,
Faridabad.

Dated the 22nd June, 1970.

B. L. AHUJA, Secy.